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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/950,057	09/12/2001	Masami Niimi	P 282938 57507-US-SuS/yo	8664
25944	7590	12/17/2003	EXAMINER NGUYEN, BINH AN DUC	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			ART UNIT 3713	PAPER NUMBER

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/950,057	NIIMI ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
Binh-An D. Nguyen	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1)  Responsive to communication(s) filed on 03 October 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4)  Claim(s) 1-14 is/are pending in the application.  
4a) Of the above claim(s) 6-14 is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-5 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 12 September 2001 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 13)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a)  The translation of the foreign language provisional application has been received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.  
4)  Interview Summary (PTO-413) Paper No(s) \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Applicant's election with traverse of Species S1 in Paper No. 10, October 15, 2003 is acknowledged. The traversal is on the ground(s) that the search and examination of the entire application could be made without serious burden. This is not found persuasive because Species S1, S2, and S3 have different embodiments and are distinct from each other. Further, the Subspecies S3a and S3b also have different embodiment and are distinct from each other.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 6-14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 9, October 3, 2003.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Publication 64-060247, hereafter Publication '247, in view of Prohaska (5,201,111).

Publication '247 teaches a method of manufacturing a yoke comprising the steps of: cutting a steel plate into a rectangular sheet having a plurality of dovetail convexities at one end thereof and a plurality of dovetail concavities to be fitted to said plurality of dovetail convexities at the other end (Figure 3); rolling said rectangular sheet into a cylinder to fit said plurality of dovetail convexities and said plurality of dovetail concavities to each other (Figure 1); punching the dovetail convexities to fit the plurality of opposing concavities (or to fit convexities which form the concavities) (Figures 1-5). Publication '247 does not explicitly teach the limitations of both ends of the steel plate having first dovetail convexities and second dovetail convexities (claim 1); first dovetail convexities and second dovetail convexities are cut into the same shape in said step of cutting (claim 2); first dovetail convexities and said second dovetail convexities are shaped so that at least a portion of each dovetail is straight (claim 5). Prohaska, however, teach the limitation of both ends of a metal plate having first dovetail convexities and second dovetail convexities (Figure 1); first dovetail convexities and second dovetail convexities are cut into the same shape in said step of cutting (Figure 1); first dovetail convexities and said second dovetail convexities are shaped so that at least a portion of each dovetail is straight (Figures 1-2).

Note that, regarding the limitations of punching border portions of said plurality of first dovetail convexities and said plurality of second dovetail convexities (claim 1); first dovetail convexities and said second dovetail convexities are punched only on a straight line crossing said border portions (claim 3); and first dovetail convexities and said second dovetail concavities are punched except opposite ends of said border portions

(claim 4), it would have been obvious to one of ordinary skill in the art to join the gap connections by selectively punching or pressing the border portions together using different punching patterns at different locations along the borders to fill the gap thereto.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide a plurality of first and second dovetails at both ends of the metal plate, as taught by Prohaska, to the method of manufacturing a yoke of Publication '247's to come up with a better joint connection method that enhance the uniformity of a yoke during manufacturing process thus lower manufacturing cost and increase productivity.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 703-305-5713. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg can be reached on 703-308-1327. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

BN

  
Teresa Walberg  
Supervisory Patent Examiner  
Group 3700